

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT COURT OF NEW MEXICO

STATE OF NEW MEXICO <i>ex rel.</i> )	
State Engineer, <i>et al.</i> , )	69cv07941-MV/KK
)	
Plaintiffs, )	RIO CHAMA ADJUDICATION
)	
v. )	Section 3, Rio Cebolla
)	
ROMAN ARAGON, <i>et al.</i> , )	Subfile Nos. CHCB-001-0007,
)	CHCB-002-0001B, CHCB-002-0002C
Defendants. )	CHCB-002-0009
)	

**STATE'S WITHDRAWAL OF OBJECTION TO DEFENDANTS' PROPOSED EXHIBIT**

**E.3 – THE VENCESLAO MARTINEZ DITCH DECLARATION  
IN RIO CHAMA, SECTION 3, RIO CEBOLLA SUBFILES**

Pursuant to this Court's Order Granting Motion to Extend Deadlines (Doc. 11164, filed October 4, 2016), on Wednesday, October 26, the State of New Mexico (the "State") filed its Objections to Defendants' Proposed Exhibits (Doc. 11181). Included in the State's objections was Defense Exhibit E.3 – the Venceslao Martinez Ditch Declaration under OSE File No. 0579.

After studying the Defendants' Chacon and Quintana Proposed Findings of Fact and Conclusions of Law (Doc. 11183, filed October 25, 2016), and the claims raised therein, the State finds that the Venceslao Martinez Ditch Declaration may be relevant under Fed.R.Evid.401. Accordingly, the State hereby withdraws its objection to Defense Exhibit E.3, the Venceslao Martinez Ditch Declaration.

Respectfully submitted,

/s/ Felicity Strachan  
Felicity Strachan

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**Certificate of Service**

I certify that on October 31, 2016, I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail.

/s/ Felicity Strachan  
Felicity Strachan